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UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
15436.247.51.1

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTS
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

22386 U.S. PTO 10/691376 10/22/03

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

OPTOELECTRONIC SEMICONDUCTOR DEVICE

and invented by:

Ashish K. Venna
Arnold C. Chen
Daniel A. Francis

If a CONTINUATION APPLICATION, *check appropriate box and supply the requisite information:*

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 09/580,322

Which is a:

☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: _____

Which is a:

☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below

2. ☒ Specification having 39 pages and including the following:

 a. ☒ Descriptive Title of the Invention

 b. ☒ Cross References to Related Applications *(if applicable)*

 c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*

 d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix

 e. ☒ Background of the Invention

 f. ☒ Brief Summary of the Invention

 g. ☒ Brief Description of the Drawings *(if filed)*

 h. ☒ Detailed Description

 i. ☒ Claim(s) as Classified Below

 j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
 a. ☒ Formal Number of Sheets 3
 b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
 a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
 b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
 c. ☒ With Power of Attorney ☐ Without Power of Attorney
 d. ☐ *DELETION OF INVENTOR(S)*
 Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
 a. ☐ Computer Readable Form (CRF)
 b. ☐ Specification Sequence Listing on:
 i. ☐ CD-ROM or CD-R (2 copies); or
 ii. ☐ Paper
 c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☒ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
 ☐ First Class ☒ Express Mail *(Specify Label No.):* EV329632418US

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	Total Pages in this Submission

Accompanying Application Parts (Continued)

17. ☒ Additional Enclosures *(please identify below):*

PTO Form 2038

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☒ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra		Rate	Fee
Total Claims	50	- 20 =	30	x	$18.00	$540.00
Indep. Claims	4	- 3 =	1	x	$86.00	$86.00
Multiple Dependent Claims (check if applicable) ☐						$0.00
					BASIC FEE	$770.00
OTHER FEE *(specify purpose)*						$0.00
					TOTAL FILING FEE	$1,396.00

☒ A check in the amount of to cover the filing fee is enclosed.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.

- ☐ Charge the amount of as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Signature

Peter F. Malen, Jr.
Attorney for Applicant
Reg No.: 45,576

Dated: **October 22, 2003**

022913

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cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Venna, et al			Docket No. 15436.247.51.1
Serial No. Unknown	Filing Date October 22, 2003	Examiner Unknown	Group Art Unit Unknown

Invention: **OPTOELECTRONIC SEMICONDUCTOR DEVICE**

I hereby certify that the following correspondence:

See Documents as listed below.

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 22, 2003
(Date)

022913
PATENT TRADEMARK OFFICE
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Jamie Warner
(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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Utility Patent Application Transmittal (4 pgs. dup);
Patent Application (39 pgs); 3 pages Drawings;
2 Assignment with Cover Page (10 pgs);
2 Declaration, Power of Attorney and Petition (6 pgs);
Assignment with Cover Page from Genoa Corp. to Finisar Corp. (4 pgs); Credit Card Form PTO-2038;
Certificate of Express Mailing #EV329632418US;
Postcard